

**BILL NO. 96-15**

**COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND**

**BILL NO. 96-15**

Introduced by Council President Parrott at the request of the County Executive

Legislative Day No. 96-8

Date: March 5, 1996

**AN ORDINANCE** to amend Bill No. 95-88 to provide that the purchase price for acquisition of development rights in up to 235 acres of agricultural land at 1865 Poole Road, Darlington, Maryland 21034 to be paid to Imogene W. Barberry, or any owner thereof shall be \$2,270.00 per acre for an aggregate maximum purchase price of \$533,450.00 to be based upon \$2,270.00 times the number of acres in such land (minus one acre for any existing residential dwelling located thereon).

By the Council, March 5, 1996

Introduced, read first time, ordered posted and public hearing scheduled

on: April 2, 1996

at: 6:00 p.m.

By Order: James D. Varnum, Acting Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 2, 1996, and concluded on April 2, 1996.

James D. Varnum, Acting Secretary

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1           WHEREAS, Bill No. 95-88 was passed by the County Council of Harford County,  
2 Maryland (the "County Council"), on January 16, 1996 and approved by the County Executive  
3 on January 19, 1996 to be effective on March 19, 1996, authorizing Harford County, Maryland  
4 (the "County") to purchase development rights in up to 235 acres of agricultural land located at  
5 1865 Poole Road, in Darlington, Maryland from Imogene W. Barberry, or any other owner  
6 thereof; and

7           WHEREAS, the purchase price to be offered for the development rights was calculated  
8 improperly and did not accurately reflect additional family conveyance rights which results in  
9 an increase in the purchase price from \$2,017.00 per acre as reflected in Bill No. 95-88 to  
10 \$2,270.00 per acre (see Memorandum of Director of Planning and Zoning attached hereto as  
11 Exhibit A); and

12           WHEREAS, the purchase price as recalculated pursuant to the County's easement priority  
13 ranking system, results in an increase of \$253.00 in the per acre purchase price to \$2,270.00  
14 per acre.

15           WHEREAS, the County wishes to amend Bill No. 95-88 to reflect the purchase price of  
16 \$2,270.00 per acre for the development rights to be acquired from Imogene W. Barberry or any  
17 other owner thereof.

18           NOW, THEREFORE:

19           Section 1. BE IT ENACTED BY THE COUNTY COUNCIL OF HARFORD  
20 COUNTY, MARYLAND that the last paragraph of the "Recitals" on page 2 and Section 1(a)  
21 on page 3 of Bill No. 95-88, as enacted by the County Council on January 16, 1996 be and they  
22 are hereby repealed and reenacted with amendments to read as follows:

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**RECITALS**

The County has now determined to enter into an Installment Purchase Agreement with Imogene W. Barberry or any other person who is or becomes the owner of all or any portion of the Land (hereinafter defined) prior to execution and delivery of such Agreement, in order to acquire the development rights in approximately 235 acres, more or less, of agricultural land located at 1865 Poole Road in Darlington, Maryland 21034, within the County, for an aggregate purchase price not in excess of [\$473,995.00] \$533,450.00, plus interest thereon, the actual amount of the purchase price to be equal to the lesser of such maximum amount or [\$2,017.00] \$2,270.00 times the number of acres in such land (minus one acre for any existing residential dwelling located thereon), upon the terms and conditions hereinafter set forth.

**NOW THEREFORE:**

**SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND, That**

(a) Harford County, Maryland (the "County") shall enter into an Installment Purchase Agreement (the "Installment Purchase Agreement") with Imogene W. Barberry and or any person who is or becomes the owner of all or any portion of the Land (hereinafter defined) prior to the execution and delivery of the Installment Purchase Agreement (the "Seller") in order to acquire the development rights in approximately 235 acres of land, more or less, located at 1865 Poole Road in Darlington, Maryland 21034, within the County, (the

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1 "Land"), for an aggregate purchase price not in excess of [\$473,995.00]  
2 \$533,450.00 (the "Purchase Price"), plus interest thereon as hereinafter provided;  
3 provided that the actual amount of the Purchase Price shall be equal to the lesser  
4 of such maximum amount or [\$2,017.00] \$2,270.00 multiplied by the number of  
5 acres in the Land (minus one acre for any existing residential dwelling located  
6 thereon);

7 SECTION 2. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF  
8 HARFORD COUNTY, MARYLAND,

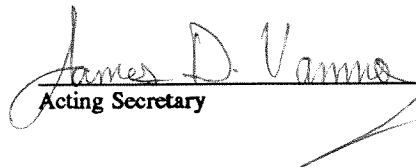
9 That except as amended herein, Bill No. 95-88 is ratified and affirmed.

10 SECTION 3. AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF  
11 HARFORD COUNTY, MARYLAND

12 That this Act shall take effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: June 14, 1996

The Acting Secretary of the Council does hereby certify  
that fifteen (15) copies of this Bill are immediately available for  
distribution to the public and the press.

  
Acting Secretary



**HARFORD COUNTY GOVERNMENT**  
*Department of Planning and Zoning*

*extension 3103*

February 6, 1996

**MEMORANDUM**

**TO:** Wilson R. Rutherford  
Director of Procurement

**THROUGH:** Arden C. Holdredge *[Signature]*  
Director of Planning and Zoning

**FROM:** Daniel E. Rooney *[Signature]*  
Agricultural Planner

**RE:** Barberry Property  
Bill 95-88

It has come to my attention that the "per acre value" was listed incorrectly for the Imogene W. Barberry Farm legislation (Bill 95-88). The per acre value in the legislation is listed as \$2,017.00 up to a total of 235 acres. The correct per acre price is \$2,270.00 up to a total of 235 acres, and a total dollar amount of \$533,450.00.

Steve Winter is currently in the process of drafting new legislation for introduction to the County Council at the earliest possible date.

DER/tg

copy: Eileen Rehrmann, County Executive  
James Jewell, Treasurer

Post-it* Fax Note	7671	Date	2/28/96	# of pages	1
To	Steve Winter	From	Dan Rooney		
Co./Dept.		Co.	PDZ		
Phone #		Phone #	63B-3103		
Fax #		Fax #			

HARFORD COUNTY BILL NO. 96-15(Brief Title) Ag. Land Preservation - Barberry PropertyCorrection of Per Acre Value

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy  
Acting Secretary  
of the Council

Joanne S. Parrott  
President of the Council

Date April 2, 1996Date April 2, 1996

BY THE COUNCIL

Read the third time.

Passed: LSD 96-11 (April 2, 1996)

Failed of Passage: \_\_\_\_\_

By Order

James D. Vannoy  
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 4th day of April, 1996 at 3:00 p. m.

James D. Vannoy  
Acting Secretary

BY THE EXECUTIVE

Colleen M. Redman  
COUNTY EXECUTIVE

APPROVED: Date 4-15-96

BY THE COUNCIL

This Bill (No. 96-15), having been approved by the Executive and returned to the Council, becomes law on April 15, 1996.

James D. Vannoy  
Acting Secretary

EFFECTIVE DATE: June 14, 1996